Reference to Matters Pertaining to Centre-State Relationship

MR. CHAIRMAN: Now, I have not considered it necessary to allow any Special Mentions today because I thought the House, was very much interested in the problem of the communal riots and so on. A number of leaders have come and asked me that it should be allowed. I therefor- give the floor to Mr. Upendra in ihe first instance.

SHRl PARVATHANENI UPENDRA ("Andhra Pradesh): Sir, at the very outset, I convey my thanks to you for allowing this Special Mention which I thought is very neeessary because some fundamental Constitutional issue$_s$ are involved in this and 1 am grateful to you for protecting the rights of the States $_a$lso alongwith the rights of the Members of this august House, Sir. I would lik$_e$ t$_0$ refer he$_{re}$ to the statements, utterances and behaviour of some of the Minister.... *(Interruptions)**

SHRI ANAND SHARMA (Himachal Pradesh): Sir I am on a point of order. *(Interruptions).*

MR. CHAIRMAN: All of you please see. Let us hav$_e$ an orderly dabate.Let us argue this point. Mr, Salve what is it you want to say? *(Interruptions)*

SHRI ANAND SHARMA: Sir.. I am on a point of order.

MR. CHAIRMAN: Mr. Salve ha$_9$ been given th^e opportunity to raise the point of order. Mr. Salve has been given permission to raise a point of order.

SHRI N.K.P. SALVE (Maharashtra): Sir, I am on a very important queestion of procedure. I want to assure Mr. Upendra and th$_e$ Opposition that not for $_a$ moment, would I want their rights to be stifled or scuttled. Important matters must be raised. We are sitting here not in a talking shop; we are here to raise all the Issues which are $_0$f very great importance and if matters have to be debated, they must be debated. But, Sir, I am raising an extremely important question of procedure because unfortunately there are no rules which 1 can fall back upon to indicat$_e$ what is the precise scope or what ought to be the ambit of the subject in respect of which a Special Mention, can be allowed. 1 hav$_e$ to go by the generality of the rules. Sir, you have been a$_n$ eminent Lawyer yourself. I hav$_e$ to go by what is described as 'he teleologies and semantic approach as to what is the ultimate purpose for which we had made the rules. The totality of the rules, procedures and conventions is to ensure that all the matters falling within the jurisdiction of Parliament are adequately and well debated, discussed meaningfully and effectively. Restrictions, if any. are no: meant to $_s$cuttle the right of th$_e$ Members but to enlarge their rights to see that the debates are effective and meaningful. It is i$_n$ that context that I want to raise this question. And at th$_e$. outset., permit me to mention that I am one of those who stand for strengthening whatever little federalism that exists i$_n$ ou$_r$ Constitution. Whether th$_e$ Constitution $_s$ federal or unity is not the issue, but whatever federalism exist$_s$ must b$_e$ strengthened and the relations between the Central Government and the State Governments must always be cordial and we have to have an extremely delicat$_e$ approach when we have Opposition parties ruling some of the States. We have to respect the States whe$_{re}$ Opposition parties have been voted to power.... *(Interruptions)* I want them to understand the background.

SHRI PARVATHANENI UPENDRA: What is the point of order?

SHRI N.K.P. SALVE: My point of order is this: because there is no specific rule, I was looking into this book "Practice and Procedure in Parliament" which lays down what ca$_n$ b$_e$ the subject-matter of motions, questions, etc. that can be raised in the House. It has been so pithily summarised by Kaul and Shakdher in their look, on page 803 in the third edition. Dealing with the question as to what can be the subject-matters which are $_{no}t$ points of order, the distinguished and learned authors tay:

"A general matter which ca$_n$ appropriately be raised through a question, re-

[Shri N. K. P. Salve]

solution, motion or by way of a psrsons\ statement and which can be raised under any rules or directions, cannot te raise.! by having recourse to this procedure. '

And "this procedure", *inter "Ii",* takes ia the procedure of Special Mentions. My .respectful submission is that if something is said by a Minister in a State—I am not on the merits whetner it is right or wrong whether he should say it er should not say if—these are matters impinging on the :tion of federalism in the Constitution. It impinges on the question of how the relationship between the States and the Centre can be preserved. A resolution can be brought; a substantive motion can be brought. Now what will happen is that ic wil] lead to an unending trouble. He may criticise a Central Minister on what *hz* has said. He may be justified or he may act be justified. Tomorrow somebody will rise from our party levelling criticism against Mr. N. T Rama Rao or Mr. Ramakrishna Hegde, who is a good friend of mine. My respectful submission is that I want you to please consider whether u Special Mention which will involve a very high degree of political controversy should be permitted, which can b^ raised otherwise, because I should "have the opportunity to have my say :ll1d the /Minister must have an opportunity to have his say in the matter. And now will he have a say' in the matter?

SHRI DIPEN GHOSH (West Bengal) : Where else, tell me, can such controversial matters be discussed except in Parliament? *(Interruptions)*

SHRI N.K.P. SALVE: If a debate is allowed, they can have, their say in the matter and we can bave our say. But in a matter which involves such depths of political controversy, to allow a Special Mention specially where two Ministers are involved is, I submit, outside the jurisdiction, normally, in terms of conventions. The jurisdiction is determined by •conventions and not by rules. The contentions have been very healthy. You have been strict and liberal in the areas you have been allowing unending debate, particularly the Special Mentions. If you start this, I would submit, I want to put it to you, that while we shall bow down to your decision, you will be opening a Pandora's box. We cannot be restrained frorru bringing Special Mentions which will raise substantial issues, issues of very high degree of political controversy. Therefore. I submit that I want you to consider my point of order beforC© you give permission in a matter relating to the statement made against the CM of Karnataka and the CM of Andhra Pradesh. *(Interruptions)*

MR. CHAIRMAN: I wilj have an orderly debate. First 0f 'all I wiU allow the Opposition Members to answer the point of order, not on the merits. Mr. Dipen, Ghosh, would you like first to... .

SHRI M. S. GURUPADASWAMY (Karnataka): Let me say something first Mr. Chairman....

MR. CHAIRMAN: All right.

SliRI M. S. GURUPADASWAMY: I respec: my colleague, Mr. Salve, generally and I also respect his views. But ia this matter there is no point of order. Ha has said two or three things while raising the point 0f order; (1) This House has some conventions, some norms and. rules of procedure. All of us are deeply interested to uphold the conventions, the norms and the rules of procedure. I would like to know from him whether it is out of the way to debate an issue which is worrying not only the political parties but also the public. Is it wrong to debate an issue which touches upon the relation between the Minister at the Centr© and the Governments at the State Ievel? Is it also out of the w*y to discuss a matter which involves the propriety, the relationship, the political relationship, the constitutional relationship, between the Centre and the States? I do not see any point at all in his view, in wha: he has said. If he thinks that we should Push all the issues, the public issues, under the carpet and this Parliament should close its eyes and should be blinked, should indulge in what I would call

] blinked negativism* then I think we ara not doing justice, we are not playing our role. Sir, you are the custodian of this House, of the privileges of Members of Parliament and in particular, the rights of the Opporsition to raise such issues. Here tlie issues that we ar© raising are the issues wliich touch Governments where we are ruling. There is als0 lot of correspondence. T do net want to go into the question now, I would go into it later on. Here it is a question 0f political behaviour which this House, this august body, is competent to take note. of, paricularly when there is the Centre-State relationship involved. This body is a Council of States and it has got to take, note cf it and also establish norms, standards and conventions. I want norms and I want standards to hs set up in public behaviour, ;n public life, and these norms and forms and standards should be observed more by those who are in power. I want these very norms fo be observed. I am not arguing against any of those norms and standards and rules of procedure. Therefore, tl:ere is no point of order. We have got every right to take up this issue. It is a very sensitive issue, a very delicate issue.

MR. CHAIRMAN: May I ask you a question"

SHRT DIPEN GHOSH: I want to make a submission. Sir,

MR. CHAIRMAN: Would it be proper for any Member of this House, to make a Sped., I Mention about th,» Chief Minister ot Karnataka or of Andhra Pradesh?

SHRl M. S. GURUPADASWAMY : If it relates to the Centre-States relations. *{Interruptions).* I welcome it if it relates to the Centre-States relationship. *(Interruptions).*

SHRI DIPEN GHOSH : If it relates to the Centre-States relations, it is all right. *(.Interruptions).*

MR CHAIRMAN : All of you, please understand. I am putting a question to a person who has very legally put a ques* tion and now you people are interrupting. I am putting -a question, a very pertinent question and I am getting the answer. You are only adding to the confusion- and you arc not adding io the information. New. Mr. Dipen Ghosh.

SHRI DIPEN GHOSH: Sir, the question which my learned colleague^ Mr. Salve, has raised is not about the propriety of such a discussion taking place in this House. What, as I could understand Mr. Salve, he has raised is a point about the form in which this discussion should take place.

SHRI N.K.P. SALVE: That is right.

SHRI DIPEN GHOSH; This is what I could understand. He has referred to certain observations made by the learned author of that book. But the form has to be decided by the Chair and not by that Member or anybody else. *(Interruptions).* Naturally, it is up to you to decide the form in which this discussion, should take place.

SHRI N.K.P. SALVE: Very fair.

SHRI DIPEN GHOSH: You have already taken a decision and you have allowed the Special Mention after giving your thought and wisdom to the point and naurally you have called Mr. Upendra to make that Special Mention. But what *I* could add to it is that since this is aa issue which is a very important issue, I think that after that Special Menion ismade—the concerned Ministers are also present here—the concerned Minister may also be allowed to reply.

SHRl N.K.P. SALVE; You are suggesting something new.

SHRI DIPEN GHOSH: Mr. Chairman, Sir, already there is a precedent in this House and some Special Mentions were allowed. Though we did not like, though this side did not like. Some Special Mentions were allowed to be discussed here attacking the Left Front Government of West Bengal. I can cite more than one example...

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH): That is not the issue now.

SHRl DIPEN GHOSH: ... of Special Mention being allowed in this House, making remarks, uncalled for, remarks against the performance or actions of the Left Front Government of West Bengal.

SHRI NIRMAL CHATTERJEE (West Bengal): Mr. Salve was also present at that time.

SHRI DIPEN GHOSH; Yes, Mr. Salve was also there. So, Sir, my submission is that this Special Mention has been allowed and let this be made and, after that, if the concerned Ministers are here and if they want to make any statement, they can also be allowed to make this statements.

MR.. CHAIRMAN: Yes, Mr. Upendra.

SHRI PARVATHANENI UPENDRA: Sir, I would like to mention only two things. One is that the subject which I wanted to raise js not only relevant to the question of Centre-State relations, but also raises several points, several issues. For example, there is the call of a Minister for the overthrow of an elected Government there through extra-constitutional methods. That is the subject which I wanted to raise, which is not only unconstitutional, but which is also pure sedition. That is my number one point. Second'y, Sir, you yourself have allowed twice in the past raising such issues jn this House: one, in the case of Shrimati Ram Dulari Sinha's remarks on Andhra Pradesh and, the second, the statement made by Mr. Janardhan Poojari at Visakhapatnam, during ths last session. Therefore, there are precedents in this House. You have allowed t'nis whenever we have felt that something has been done to mar the Centre-State relations. You have 'allowed it and also, this is the Council of States and you are within your rights to allow it.

MR. CHAIRMAN Subject to certain things, I have to give a ruling. Yes. Mr. Bhandare.

SHRI MURLIDHAR CHANDRAKANT BHANDARE: (Maharashtra); Mr. Chairman, Sir, nobody would even dream of fettering or restricting a debate in this House. But we have some well-recognised limits on the way in which this issue has to be raised by a Special Mention and this has been very succinctly put by you by asking a question. And the answer which the hon. Member, Mr. Gurupadaswamy, gave was that he would welcome it. The question is not whether he welcomes it or I welcome it, because I have something to say about what happened at the seminar of the Bar Association of India in Bangalore. But that is not the question, whether we welcome it. The question is whether it would be proper for us to bandy, to discuss the conduct of Ministers, and particularly of State Chief Ministers, who are not present in the House at all, who have no opportunity. Is it permissible for us to discuss it? That

is the basic point. I have no knowledge of such precedent. In fact, every time anybody has tried to mention the name of a person who is not in the House and who has no opportunity of meeting that criticism, I think, so far as I remember, in this House an objection has always oeen upheld. Whatever has been mentioned has been struck off the records of this House. And, therefore, I would submit that' ihe question which the Chairman very correctly asked really is an answer to the point of order.

MR. CHAIRMAN; Mr. A. G. Kulkarni.

SHRI A. G. KULKARNI (Maharashtra): Sir, the Rules as ttiey have been: framed, have not provided for conventions establishd in this House. Even during the period from 1978 to 1980 when the Janata Government was ruling rhany problems under the Special Mentions and Zero Hour were brought by my colleague, Mr. Salve, against the Prime Minister's son and they were allowed, they were discussed, and the hon. Chairman every time has upheld the right of the Members to discuss such matters. Sir, as you have just now pointed out rightly, he ruling party Members can utter whatever they want about the Chief Ministers or Ministers of the Opposition States. They are saving whatever they like. They are already saving; there is no ban on tnat- We can discuss that also. You say something and we will discuss it. You are not saying now. You are only sitting silent and prohibiting us iSrom discussing the matter. Sir, this is an established convention, an established practice. Any matter which is connected with the States and the Centre has to be discussed, exclusive of certain matters which are prohibited for discussion. Mr. Hedge, Mr. N. T. R., Mr. Jyoti Bosu or anybody else were discussed. When Mr. Ghani Khan Choudhury said that the Jyoti Bosu Government should be thrown into the sea, *it* was discussed here. So this is going on. Mr. Choudhury replied and the Chairman at that time, Mr. Hidayatullah, had taken note of this. So this is going on. This is the game of the Rajya Sabha. So, do not get so panicky that we are discussing this. Ministers are quite competent...

SHRI P. N. SUKUL (Uttar Pradesh): Sir, I have a point of order.

MR. CHAIRMAN: We are discussing the point of order.

SHRI P. N. SUKUL: My point of order is that the speech that was delivered by the Minister was in a meeting of our party men. The Minister was addressing his party members. *(Interruptions)* It was not a public meeting. This was a meeting of the Congress party members. *(Interruptions)*

MR. CHAIRMAN: Do you think that I would not allow you to contradict the points raised? Do you mean that by merely shouting all at the same time you will get at the truth? Therefore, please allow him to speak, and. if anybody wants to contradict, I will give him an opportunity. I want to have a proper debate on it.

SHRI ANAND SHARMA: The point of order raised by Mr. Salve is a very important one because an attempt is being made through a Special Mention to raise those questions which we have to consider and which you have to decide as to whether they fall within the ambit of the Special Mention. Mr. Kulkarni has referred to the debate on various aspects by citing past precedents. There are various other rules which can be taken recourse to.

SHRI A. G. KULKARNI: There is no rule.

SHRI ANAND SHARMA: Please don't interrupt. Let me finish. I did not interrupt you. What I am stating is that there are various other ways to discuss the issue. What the House has to decide by this point of order is the ambit of the Special Mention and the real issues which are covered by ir. There is no specific rule about Special Mentions. There have been precedents which, in fact(might not be helpful. The House will have to take a decision. It will be tantamount to opening a Pandora.'s Box. *(Interruptions)* I have not finished.. Please have some patience.

MR. CHAIRMAN: I will cali only those persons whose party Members have not spoken. If their leaders have spoken, I will not allow them.

SHRI ANAND SHARMA: I wih just conclude, Sir. The Members have every right to raise matters of public importance and through Special Mentions the attention of the House is always attracted towards such matters. Now, the question is whether the statements of political leaders on various platforms can be discussed and debated through Special Mentions. Can a debate follow a Special Mention? This is the point of order. This is the crux of the matter. Can a debate follow a Special Mention? Can a Statement made outside the House in various fora, whatever may be the forum and whatsoever may be the function be discussed and debated? I am not at all going into that aspect. It may be a party forum or a public forum. What we are considering is whether such a statement made by political leaders can be discussed. The Minister is also a Member of a Political Party. This fact cannot be overlooked. Have they a right to comment on various issues?, Can that right be snatched away? Can that right be questioned? By allowing this, we are questioning that very right. If there are some issues raised. ...

SHRI A. G. KULKARNI: What do you know about Parliament?

SHRI DIPEN GHOSH: He has a right to speak. He has a right to criticise.

SHRI NIRMAL CHATTERJEE: You are entering into the subject matter.

SHRI ANAND SHARMA: I am not. I am scrupulously refraining from it

MR. CHAIRMAN: Will the speakers address the Chair?

SHRI ANAND SHARMA: I am addressing you, Sir. The question is whether this particular debate can be initiated through a Special Mention. Your ruling wiH be a very important ruling because the time of the House is very precious. The avenues are open and they can take recourse of other things. I personally feel and 1 submit to you to consider whether this can be allowed.

SHRI MURASOLI MARAN (Tamil Nadu): Sir. sometimes Mr. Salve is very brilliant. That is why his services are needed always in this House, to the runing party and so he is no more a Minister. He has put his point very brilliantly. He is not objecting to the subject matter being discussed. He is objecting to the form. Sir in the morning, when we the Leaders of the Opposition met your, you, in your wisdom; permitted us to raise this in this form. And you have informed the Parliamentary Affairs Minister. And he himself accepted it. Perhaps, at his instance, fee concerned Ministers are here. Sir, this is the Council of States. We are concerned with the affairs of the States. Sir, you are the sovereign in running the affairs of this House. Sir, I quote Rule 266—Residuary Powers*—"All matters not specifically provided for in these rules shall be regulated in such a manner as the Chairman may from time to time direct." Sir, you can do whatever you want. And, Sir, you in your wisdom,

has decided. They are making a mountain ol a small molehill. This is a very simple matter. This is a non-controversial matter. We have ah agreed to discuss. *{Interruption)* Regarding the discussion, we have all agreed. So, why should they re-think about it now? That is why, Sir, you are right. You can come under the Residuary Powers—Rule 266. And, I think, Sir, your decision is right.

SHRI SUSHIL CHAND MOHUNTA (Haryana); Sir, as per rule 376, " a point of order shall relate to the interpretation or enforcement of these rules or such articles of the Constitution as regulate the Business of the House and it shall ,raise a question which is within the cognizance of the Speaker" Now, Sir. me 376 is so clearly worded that unles, there is a specific ban, unless there is a specific provision for not allowing a particular manner in which an issue can be brought to the notice of the House by which the intention of the House can b$_e$ attracted, unless there is a ban on it, there is no point of order involved. Here, in thi$_s$ case, th$_e$ question is whether a certain thing should have 'been sa'd by a Minister or not and the effect of what h$_e$ has said and whether he has violated certain provisions of the Constitution anj whether whatever the Minister has said is a blow to the functioning of a federal set-up. All these are points which are within the ambit and can be taken cognizance of by the House. The manner in which they are brought to the notice of the House is a different matter altogether. And in that manner, the hon. Speaker and you, Sir, as the Chairman of the House have ample powers or full control over the function-inc of the House and have the final authority in deciding in which from this ou»stion is to come up. Sir, after your ng exercised the discretion and hav-brought the matter to the notice of h 'ides of the House and to all con-r°rn<>d, and after giving your permission to him to raise this question—if at any stage the Government feels that a further debate in n^ie-ary and that they want to clearify thj position, they ca$_n$ al any time come forward and clarify the position—this question cannot be stopped at this stage. The permission is accorded. You have exercised you$_r$ discretion. There is n $_0$ point of order involved in it. I really fail to understand what the point of order is] Whether a certain thing can be said and he says...

MR. CHAIRMAN: He cannot say that a point or order cannot he raised. I have to give a ruling. Everybody has a right to raise the point of order.

SHRI SUSHIL CHAND MOHANTA: The only objection that is being raised is that the other s'de does not have an opportunity to clarify o$_r$ to reply to the points raised in the statement. They always have a right subsequently to come forward and have a full debate in the House.

SHRI BUTA SlNGH; Sir, I can not entrin^ into the fray. But I am going to express what I have gathered from the hon. Members intervent'on on the point of order. Sir, you were kind to allow Shri Salve to raise a point of order for, peihaps, at the back of your mind was that Salveji's point of order will help in restoring the healthy conventions to this House He never mentioned about the merits of the issues or anything. And he quoted an appropriate authority also. But, Sir, from the Opposition side, an effort has been made t$_0$ create $_s$ome impressions which I want to dispel. One is that we on this side are trying to run away. Not the least. Sir. *(Interruptions)* You have yourself said it.

SHRI MURASOLI MARAN: W$_e$ did not say.

SHRI BUTA SlNGH: You said that they want to $_T$un away.

SHRI MURASOLI MARAN: No, I did not say. You are wrong.

SHRI BUTA SINGH: If you have nol .said, then I have no quarrel. Then, Sir, the othe$_r$ thing is that you were kind enough to allow this special mention by Shri Upendra Chaudhari and subsequent-v you felt that there is a point or order and you allowed some kin<j of a debate *on* the point of order from all the parties in this House. This shows that even you have in your mind the concern about healthy traditions of this House, the man-tie,- in which business is conducted and things and you pttt a very pertinent question to Shri Gurupadaswamy, to which a very casual answer came. Sir, my test is that this impression, which is sought to be created by the Hon. Mem-opposite that the Government is run-ning away o$_r$ that we are having some i of an idea to hide something under the carpet is absolutely wrong. I am sure, Sir, that while listening to this kind of a special mention you wiH definitely give an opportunity to those hon. Ministers whose name$_s$ are going to be mentioned. They will get the full opportunity to reply. *(Interruptions')-*

SHRI CHITTA BASU (West Beng*!): Sir, I shall not take more than a minute. Sir, rules 169 and 172 prescribe the mode of admissibility of a question, of anything which can be discussed in this House. There are certain qualifications 'and dis-qualifications, under rule 169, Sir, you were definitely within you$_r$ right to apply these rules to the special mention and it has satisfied those conditions contained ;$_n$ rule 169. Secondly, Sir, rule 170 gives you all the authority to take a final decisions ' about the admissibility of a question that a Member want$_s$ to raise in this House. Therefore, there is no substance in the point of order raised by Mr. Salve and I think you have taken the right decision and Mr. Upendra should be given the chance to make his special mention. If something has raised the lid of the pan-do-a's box, let $_r$he box be opened and let u$_s$ have th$_e$ courage to face the con^{c}e-quences.

SHRI N. K. P. SALVE: Sir, before you reply, please give me half a minute. Sir, there is no doubt that in exercise of the residuary power, it is for you to deter-mine what ought to be the scope of the special mention. Also, w$_e$ do not for a moment dispute your right having taken a decision to allow a special mention, to go ahead with it. But it is my request to you to review your decision especially for two reasons. A plethora of rulings have been cited in Kaul and Shakdher. Not a sentence has been stilted by anybody in respect $_c$f the observations of the learned author on page 803. What is the answer to this? The totality of the rules prohibit a general matter which can 'appropriately be raised through $_a$ question, resolution, motion or by way of a personal statement o$_r$ which can be raised under any rule or direction, to be raised like this.

MR. CHAIRMAN; Mr. Salve, may I a^k you a question? Does it mean that you will 'agree to a motion on this?

SHRI N. K. P. SALVE; I entirely agree, **Sir.** In fact. 1 was coming to that. Sir, some time back, hon. Member, Mr. Kulkarni referred to a matter which was debated for long hours in this House Under Chapter XII it was a substantive motion.

SHRI A. G. KULKARNI. You raised a special mention in the Zero Hour and then a resolution. . *(Interruptions).*

SHRI M. S. GURUPADASWAMY: Sir. we have no objection to have a mo-tion and then debate it.

SHRI DIPEN GHOSE. This is an ex-cellent suggestion. He is an expert ^{in} evasion and avoidence.

SHRI N. K. P. SALVE; Sir, you. have asked me a question. Permit me to re-play. Sir, in view of the plethora of rul-ings which have been given, I submit respectfully this doe; not fall within the ami .necial mention. Should you consider that it should be . . .

SHRI MURASOLI MARAN; We accept $_a$ substantive motion.

MR. CHAIRMAN; May I give my ruling? Hon. Members are aware that in the past, I have allowed special ment'ons of this kind whenever Ministers made

statements relating to affairs connected with the States. This is the Council ol States and, therefore, matters relating tc relationship between the Centre and the States can appropriately and legitimately be discussed. Since Mr. Salve has raised a point of order, I am bound to give my thought to this point of order and give a ruling which will put at rest this point for eternity; at least till it is changed by other Chairmen.

I am now faced with two options. One whether I allow special mention or number two, whether I allow a substantive motion I think there will be a better debate on substantial motion than a mere special mention. And I, therefore, say that there wi'l be substantive motion on this subject and parties may give a notice of substantive motion.

[Mr. Deputy Chairman in the chair].

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Situation arising out of incidents of communal violence in some parts of the country and the steps taken bj' Government in this regard

श्री सत्य प्रकाश मालवीय (उत्तर प्रदेश) : मान्यवर, मैं देश के कुछ भागों में साम्प्रदायिक हिंसा की वारदातों से उत्पन्न स्थिति और सरकार द्वारा इस सम्बन्ध में उठाए गए कदमों की ओर गृह मंत्री का ध्यान दिलाना चाहता हूं ।

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH) j Sir, communal incidents have been causing great distress and concern to the Government. There will be no two opinions on the need to ensure that a durable climate of communal harmony prevails throughout the country.

The question of controlling communal disturbances and maintaining communal amity is constantly engaging the attention of ihe Central Government. Though the primary responsibility of maintenace of peace rests with the State Governments, the Central Government remains in constant touch with them in order to ensnre communal harmony. Material support in terms of para-military forces and equipment is provided to State Governments as and when occasion arises or demands are made to enable them to effectively manage and control the riot situation on ground. Apart from mis, timely alerts are sounded and guidance and advice provided, as and when required.

Communalism in India is a product of the colonial period. It was a weapon fashioned to strengthen imperialism. Communal outlook was built up by the British with the cooperation of those elements in our society which stood against freedom struggle. After independence these vested interests have deliberately forced communal and other divisive forces to hamper national integration and development effort. Thus, communal disharmony is not a simple law and order matter. Action by Government, by political parties and by social organisat'ons had to be based on this broad political understanding.

The Central Government had evolved a set of detailed guidlines for effective control of communal violence as well as for promotion of communal harmony in 1980. These guidelines had been commended to all the State Governments/ Union Territories. In the light of the experience gained during the last few years, these guidelines were reviewed and revised in 1985 and the revised guidelines have been re-circulated to the State Governments in July, 1985. Among other things, these guidelines envisage strengthening of intelligence gathering system, speedy investigation of cases of communal violence, trial by Special Courts, action under law against those indulging in inflammatory writings and unauthorised construction of places of worship and imposition of restrictions *aa* slogan shouting. In respect of processions, the State Governments were advised to evolve a general policy for limiting or controlling religious professions during festivals and communally sensitive periods. It was suggested to them 'hat the routes should be properly devised